

#### **REMARKS**

Reconsideration of the application is respectfully requested.

Claims 1-38 are rejected in the above-identified Office Action. Claims 1, 4, 5, 8, 11, 14, 18, 21, 23, 25, 28-30, and 35-37 have been amended, and no claims have been cancelled. Accordingly, claims 1-38 remain pending in the application.

#### **Claim Rejections under 35 U.S.C. § 112**

In “Claim Rejections – 35 USC § 112,” item 4 on page 3 of the above-identified Office Action, claims 1-38 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. More particularly, the Examiner states that it is unclear what “non-file system structures” should be or are within the claim language.

In response, Applicant respectfully notes that claims 25-38 do not recite non-file system structures. Accordingly, Applicant believes that these claims may have been mistakenly rejected, and requests withdrawal of the §112 rejections of these claims.

With regard to claims 1-24, Applicant has deleted “non-file system structures” from the claims and has replaced that phrase with “structures of a web based application selected from the group consisting of data tables, schemas of data tables, user lists, structural descriptions, and control structures.” Support for these amendments may be found on page 2, lines 1-3, page 6, lines 11-15, and in Figure 3 of the originally-filed disclosure.

Accordingly, because claims 1-38 no longer recite “non-file system structures”, Applicant respectfully submits that claims 1-38 are patentable under §112.

#### **Claim Rejections under 35 U.S.C. § 101**

In “Claim Rejections – 35 USC § 101,” item 5 on page 2 of the above-identified Office Action, claims 1-38 have been rejected under 35 U.S.C. §101 as being directed to

claimed inventions that are inoperative and therefore lack utility. More specifically, the Examiner asserts that the first operation of claims 1 et seq. is initializing a file to store a web based application, and further asserts that such storage renders the web based application to be part of a file system, and that the web based application cannot therefore have “non-file system structure” after the first, initializing operation. Because, according to the Examiner, there would be no “non-file system” structures after the first operation, the second operation could not be performed, making the claimed invention inoperable.

In response, Applicant again points out that claims 25-38 do not recite “non-file system structures.” Accordingly, Applicant believes that these claims may have been mistakenly rejected, and requests withdrawal of the §101 rejections of these claims.

While Applicant respectfully disagrees with the Examiner’s reasons for rejecting claims 1-24 under §101, Applicant has amended claims 1-24 to delete the phrase “non-file system structures” from the claims, and has replaced that phrase with “structures of a web based application selected from the group consisting of data tables, schemas of data tables, user lists, structural descriptions, and control structures.”

Accordingly, because claims 1-38 no longer recite “non-file system structures”, Applicant respectfully submits that claims 1-38 are patentable under §101.

**Conclusion**

In view of the foregoing, Applicant submits that claims 1-38 are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1513. If any fees are due in connection with this paper, the Commissioner is authorized to charge Deposit Account 500393.

Respectfully submitted,  
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